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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,339	09/24/2001	Atsushi Inoue	214303US2RD	4617
22850 7590 04/06/2007 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER LIN, KELVIN Y	
			ART UNIT 2142	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	04/06/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 04/06/2007.

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**Office Action Summary****Application No.**

09/960,339

**Applicant(s)**

INOUE, ATSUSHI

**Examiner**

Kelvin Lin

**Art Unit**

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14, 17-22, 25-30 and 33-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-14, 17-22, 25-30 and 33-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **Detailed Action**

### ***Response to Arguments***

1. The applicant's argument with respect to claim 1, has been considered but not persuasive.

2. Applicant is arguing:

- 1) The combination of Sampson and Beaumont does not indicate which elements in Beaumont correspond to the updating unit, the inherited page, and the original page as recited in claim 1.

As point 1), it has been considered but is not persuasive. At fig. 5, and paragraph [0045], Beaumont indicates that each browser includes event handlers is the updating unit to perform each GUI region at the appropriate time and each GUI region is determined by an associated Web page which correspond to the updating GUI region to associate with the Web page. Moreover, at [0052], the improved GUI component instruct a browser duplicator to instantiate a corresponding browser retrieves and executes an associated web pages corresponding to the inherited page from the associated web page. Furthermore, at [0010], and [0047], the original page is the web page that defining the appearance and functionality, and such attributes resides within a web page can be easily modified and upgraded for all users. At [0047], [0048], since the web page is easily modified for an upgrade the code of the host

application need not be recompiled, i.e. the web page inherited from the web server is remotely upgraded and without the host application recompiling the code. However, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a page itself is updated according to the claim ) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-7, 12-14, 17-29, and 31-36 are rejected under 35 U.S.C 103(a) as being unpatentable over Sampson et al., (US Patent 6490624) in view of Beaumont et al., (USPGPUB 2003/0085918).
2. Regarding claim 1, Sampson teaches an electronic service system, comprising:
  - a first server system, configured to carry out communications with

client systems of electronic service users, and to provide electronic services as a main site (Sampson, col.3, l.10-11, col.7, l.25-31, fig.1, component 104 corresponds to the first server system );

and

- a second server system, configured to carry out communications with the first server system and the client systems, and to provide the electronic services as a partner site of the main site (Sampson, col.3, l.11-15, col.7, l.32-36, Fig.1, component 112 corresponds to the second server system );

the first server system having:

- a first server authentication processing unit configured to carry out authentication with the second server system (Sampson, col.9, l.4-13, fig.4, component 104A (first server), and 104B (second server) are coupled with 420A, 420B, and authentication module 422 ),

Sampson teaches the limitations in electronic service system except an inherited page unit.

- However, Beaumont teaches an updating unit configured to carry out a remote updating of contents of an inherited pages which present at least part of contents or a framework of the main site as inherited from the first server system at the second server system, at a prescribed timing when the authentication succeeds

(Beaumont, at [0042], the web page locates within a web page server remotely located from the client, at [0053], the browser duplicator executes on the client of the host application, retrieve and executes an associated web page. At [0047], [0048], since the web page is easily modified for an upgrade the code of the host application need not be recompiled, i.e. the web page inherited from the web server is remotely upgraded and without the host application recompiling the code),

Because knowing that Beaumont invention provides the GUI region with the associated web pages and corresponding browser.

Moreover, the web page defining the appearance and functionality of the GUI can be created or changed on the server for all users, it would have been obvious to use the GUI, browser technology of Beaumont in the device of Sampson to improve the usability.

Therefore, the claimed invention would have been obvious to one of ordinary skill in the art at the time of the invention.

and the second server system having:

- a second server authentication processing unit configured to carry out authentication with the first server system, at a time of receiving the remote updating (Sampson, col.9, l.10-13, l.25-34, col.12, l.1-10, in which each replica operates authentication mechanism in synchronization with all other replica that is completed via network

which is remotely updating);

- an inherited page unit configured to maintain the inherited pages (Beaumont,[0053]); and
- an original page unit configured to maintain original pages of the partner site (Beaumont, [0029]).

3. Regarding claim 2, Sampson further discloses the electronic service system of claim 1, wherein the updating unit carries out the remote updating in forms of data overwriting updates or link updates (Sampson, col. 12, l.4-6, col.13, l.56-67, col.14, l.1-4)

4. Regarding claim 3, Sampson further discloses the electronic service system of claim 1, wherein

- the first server system transmits a content confirmation message for urging a site manager of the second server system to carry out a content confirmation before carrying out the remote updating (Sampson, col.13, l.1-4);  
the second server system
- presents a message configure to urge the site manager to carry out the content confirmation upon receiving the content confirmation message, and returns an affirmative message indicating an affirmation by the site manager when an input indicating the affirmation is entered from the site manager (Sampson, col.13, l.6-17); and

- the updating unit of the first server system carries out the remote updating upon receiving the affirmative message (Sampson, col.13, l.29-39).
5. Regarding claim 4, Sampson further discloses the electronic service system of claim 1, wherein The electronic service system of claim 1, wherein the second server system also has a log recording unit configured to record a first log information generated in relation to accesses from the client systems to the inherited pages, and a second log information generated in relation to accesses from the client systems to the original pages (Sampson, col.7, l.11-22).
  6. Regarding claim 5, Sampson further discloses the electronic service system of claim 4, wherein the first server system also has a management unit configured to acquire all or a part of the first log information and the second log information recorded by the second server system or receive a notification of said all or a part of the first log information and the second log information from the second server system at a prescribed timing, and carry out a prescribed management for the first server system and the second server system according to said all or a part of the first log information and the second log information (Sampson, Fig.4, col.9, l.60-67).
  7. Regarding claim 6, Sampson further discloses the electronic service system of claim 5, wherein the management unit carries out the prescribed management regarding users of the second server system (Sampson, col.10, l. 3-4)



8. Regarding claim 7, Sampson further discloses the electronic service system of claim 5, wherein the management unit carries out the prescribed management which is a security management with respect to the second server system (Sampson, col.11, l.29-32)
9. Regarding claim 12, Sampson further discloses the electronic service system of claim 8, wherein the second server system generates a certificate for certifying that said all or a part of the first log information and the second log information are not altered, and attaches the certificate to said all or a part of the first log information and the second log information, and the first server system verifies that said all of a part of the first log information and the second log information are not altered according to the certificate attached to said all or a part of the first log information and the second log information (Sampson, col.7, l.46-60, col.13, l.19-23, l.40-45)
10. Regarding claim 13, Sampson further discloses the electronic service system of claim 1, wherein the second server system notifies a request made with respect to the inherited pages immediately to the first server system, and the second server system processes the request notified from the second server system (Sampson, col.14, l.25-36).
11. Regarding claim 14, Sampson further discloses the electronic service system of the electronic service system of claim 1, wherein the second server system notifies a request made with respect to the inherited pages immediately to the first server system, the second server system notifies a command with respect

to the request notified from the second server system, to the second server device; and the second server system processes the request according to the command notified from the first server system (Sampson, col.14, l.37-50).

12. Regarding claim 17, Sampson further discloses the electronic service system of claim 1, wherein the first server system gives information necessary for the second server system to construct the original contents, to the second server system upon making the partnership (Sampson, col.12, l.20-31, col. 14, l.44-50).
13. Regarding claims 18-22, claiming for partner site serve, have limitations correspond to claims 1, 4-5, and 15-16. Therefore, claims 18-22 are rejected for the same reasons set forth in the rejection of claims 1, 4-5, and 15-16.
14. Regarding claims 25-29, and 31-32, claiming for main sit server, have limitations corresponding to claims 1, 3, 5-7, and 15-16. Therefore, claims 25-29 are rejected for the same reasons set forth in the rejection of claims 1, 3, 5-7, and 15-16.
15. Regarding claim 33, claiming for partner site management method has limitations corresponding to claim 1. Therefore, claim 33 is rejected for the same reasons set forth in the rejection of claim 1.
16. Regarding claim 34, claiming for server site management method has limitations corresponding to claim 1. Therefore, claim 34 is rejected for the same reasons set forth in the rejection of claim 1.
17. Regarding claim 35, claiming for computer program product, has limitations corresponding to claim 1. Therefore, claim 35 is rejected for the same reasons set

forth in the rejection of claim 1.

18. Regarding claim 36, claiming for computer program product has limitations corresponding to claim 1. Therefore, claim 36 is rejected for the same reasons set forth in the rejection of claim 1.
19. Claims 8-11, and 30 are rejected under 35 U.S.C 103(a) as being unpatentable over Sampson, in view of Beaumont, and further in view of Ferguson et al., (US Patent 58,190,92).
20. Regarding claims 8, 10-11, Sampson and Beaumont differs from the claimed invention in that it does not explicitly indicate the step of constructing the business component such as: partnership handling fee, discount for the second server system accesses over a prescribed number, and extra handling fee. However, Ferguson clearly teaches that under e-commerce environment, the fee structure for the online service can handle fees levied against both users and third party content providers. For example, a user can be levied fees for logging onto an online service, performing searches, or downloading information. Third party content providers can be levied fees for submitting advertisements or for executing a transaction with a user (Ferguson, col.4, l.53-60). Furthermore, Ferguson teaches the end users can submit new classified advertisement listings of their own. The online service can charge a fee for submitting a new classified advertisement, which means a extra fee for new classified advertisement (Ferguson, col.14, l.28-31). Ferguson further discloses the Levying a variable fee on a user for accessing information, depending on the amount of

information that particular user has accessed in the past. Thus, a quantity discount can be offered to users that frequently access a particular online service (Ferguson, col.30, l.31-35).

21. Regarding claims 9, Sampson and Beaumont differs from the claimed invention in that it does not explicitly indicate the step of calculating the business fee. However, Ferguson clearly teaches that under e-commerce environment, the fee computation supports the provider access (size, count), and user access (size, count), and server load (Ferguson, col.36, 15-67, col.37, l.1-42). Therefore, Ferguson's fee specifier teaches the computation of the ratio of the first log and the second log information.

Therefore, combine with Sampson and Beaumont's session manager for clients enable a client to interact with a plurality of servers and adopting Ferguson's on line (E-commerce) accessible fee structure provides the ability to set fees to be paid by the user for an amount of data accessed, the time spent logged on to the service would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Sampson and Beaumont's session manager with Ferguson's fee setting capability to support commercial online service.

22. Regarding claim 30 has similar limitations as claim 8.

Therefore, claim 30 is rejected for the same reasons set forth in the rejection of claim 8.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first replay is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE MONTH** shortened statutory period, then the shortened statutory period will expire on the date advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTH** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 571-272-3898. The examiner can normally be reached on Flexible 4/9/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2142

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

3/30/07  
KYL

A handwritten signature in black ink, appearing to read "Andrew Caldwell", with a stylized circular flourish at the end.

ANDREW CALDWELL  
SUPERVISORY PATENT EXAMINER